THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4761 of 2007

Dated : 20.03.2007

Between:

K.Ganesh S/o K.Satyanarayana and others.

…**PETITIONERS**

And:

The Rampally Grampanchayat, Rampally village,
Keesara Mandal, Ranga Reddy District,
represented by its Panchayat Secretary,
and another.

… **RESPONDENTS**

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ORDER:

The three petitioners are allegedly joint owners of land admeasuring Acs.14.02 gts in Sy.No.422 situated at Rampally village o f Keesara Mandal in Ranga Reddy District. They claim to have purchased the same under an agreement of sale and when the vendors objected to execute the sale deeds, they filed a suit, being O.S.No.165 of 1998, on the file of the Court of the II Senior Civil Judge, Ranga Reddy District. The suit was decreed in their favour on 25.01.1999. They then filed E.P.No.25 of 1999 and statedly the Court executed a registered sale deed bearing document No.1999/2004 dated 31.01.2004. Having come to know that some third parties approached the first respondent gram panchayat for building permission, they submitted representations requesting the sarpanch not to grant or sanction any building plans in the land comprised in Sy.No.422, in vain. Therefore, they filed the instant writ petition seeking a direction to the respondents not to sanction the construction permission to third parties.

After getting instructions, the learned standing counsel for Gram Panchayat submits that so far three persons made applications to the gram panchayat seeking building permission in small extents of land

in Sy.No.422, that they also enclosed necessary title documents, and that the petitioners' representations would be considered while the applications for building permission are taken up. The same is recorded. This Court observes that when the relevant rules require a person to apply for_building permission under Section 121 of the Andhra Pradesh Gram Panchayat Act, 1994 (hereinafter called "the Act"), it is part of the duty of the gram panchayat to verify whether the applicant has valid title or not. If, for any reason, there is a dispute regarding the title, the gram panchayat cannot decide the disputed title and they have to advise the parties to settle the matter in the civil court. If, for any reason, the gram panchayat overrules the objections of the petitioners and grants permission, the petitioners have to approach the appellate authority under Section 121 of the Act.

The writ petition is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

20th March 2007.
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